IN THE HIGH OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

(*Special Original Jurisdiction*)

TUESDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.26438 of 2007

Between:

Ch. Ashok Kumar … Petitioner

Versus

The Assistant Collector,
Bhongir, Nalgonda district & Anr. … Respondents

Counsel for the Petitioner: SRI KOWTURU VINAYAKUMAR

Counsel for the Respondents: SRI V.V. NARAYANA RAO

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.26438 of 2007

O R D E R :

The writ petition is filed for a writ of mandamus, declaring the order issued by the first respondent in Proceedings No.H/3139/2007, dated 28-11-2007 as illegal, arbitrary, without jurisdiction and violative of principles of natural justice and consequently to set aside the same and to pass such other suitable orders as this Court may deems fit and proper in the circumstances of the case.

2. Heard Sri Kowturu Vinaya Kumar, the learned counsel for the petitioner. The matter is coming up for admission.

3. Sri Kowturu Vinaya Kumar, the learned counsel for the petitioner would submit that the impugned order challenged in the present writ petition is one made without jurisdiction.

4. However, the learned Govt.Pleader for Civil Supplies would point out that if the grounds are carefully scrutinized, it cannot be said that the competent authority who made the order, is incompetent to make such an order.

5. This Court is not inclined to express any opinion relating to the merits or demerits of the matter.

5. In view of the facts and circumstances, in-as-much-as it is stated that the first respondent is not completing the enquiry, let the

first respondent complete the enquiry in pursuance of the Proceedings No.H/3139/2007 dated 28-11-2007 and pass appropriate orders on merits and in accordance with law, within a period of four weeks, from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of at the stage of admission. No costs.

JUSTICE P S NARAYANA.

11/12/2007.

NB:

Furnish CC of the order
today.
B/o. lsL.